1	James D. Crosby (State Bar No. 110383) Attorney at Law	
2	550 West C Street, Suite 790 San Diego, California 92101	
3	Telephone: (619) 450-4149 Email: crosby@crosbyattorney.com	
4	Email: crosoy@crosoyattorncy.com	
5	Plaintiff and Judgment Creditor In Pro Per	
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8	UNITED STATES DISTRICT COURT	
9	DISTRICT	OF NEVADA
10	JAMES D. CROSBY) Case No. 2:17-CV-02474-JCM-PAL
11	Plaintiff,	EX-PARTE MOTION FOR ORDER MOVING OR CONTINUING STATUS
12	V.) AND SCHEDULING CONFERENCE;) DECLARATION OF JAMES D.
13	PHILIP NEUMAN	CROSBY.
14	Defendant	
15		}
16	Plaintiff and judgment creditor James I	D. Crosby respectfully moves for an order moving
17	or continuing the Status and Scheduling Conference scheduled in the above referenced matter	
18	at 9:00 a.m. on December 19, 2017 to 9:00	a.m., or at any other court time, on any of the
19	following dates:	
20	- December 13, 14, 15, 26, 27, 2	8, or 29;
21	- January 2, 3, 4, 9, 10, 11, 12, 1	6, 17, 18, 19, 24, 25,29, 30 or 31.
22	Plaintiff/Judgment creditor James D. Crosby has an irreconcilable calendar conflict on	
23	December 19, 2017 involving multi-day depositions in consolidated cases pending in San	
24	Diego Superior Court (PAVA Applications International Corporation, et.al., v. Ayman Atef	
25	Shahid, et, al., and consolidated cases; San Diego Superior Case No. 37-2016-00038849 (Lead)	
26	and Consolidated Case Nos. 37-2017-00014	453 and 37-2017-0000998). Plaintiff/Judgment
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creditor James D. Crosby is representing parties and witnesses in one multi-day deposition from December 18 to December 21, and two half day depositions on December 22. All these depositions are in San Diego and commence each day at 9:30 a.m. These depositions, involving multiple parties and their attorneys in a contentious employment matter, have been scheduled for some time and cannot be moved without significant disputes, likely motions and court intervention. Plaintiff/Judgment creditor James D. Crosby personally represents multiple, and all, parties on one side of the consolidated cases and must attend these depositions.

Accordingly, plaintiff/judgment creditor James D. Crosby respectfully requests that the Status and Scheduling Conference in the above referenced matter currently set at 9:00 a.m. on December 19, 2017 be moved to any of the dates referenced above.

/s/ James D. Crosby Plaintiff and Judgment Creditor In Pro Per Date: December 2, 2017

Declaration of James D. Crosby

- I am an attorney licensed to practice before all state and federal courts of, and in, 1. the state of California. I am the plaintiff and judgment creditor in the above entitled action. I have personal knowledge of the facts stated in this declaration and, if called upon, would testify competently to such facts.
- 2. The Status and Scheduling Conference in the above referenced matter is presently scheduled for 9:00 a.m. on December 19, 2017. I respectfully request this Status and Scheduling Conference be moved or continued to 9:00 a.m., or at any other court time, on any of the following dates:
 - December 13, 14, 15, 26, 27, 28, or 29;
 - January 2, 3, 4, 9, 10, 11, 12, 16, 17, 18, 19, 24, 25, 29, 30 or 31.

- 3. I have an irreconcilable calendar conflict on December 19, 2017 involving multiday depositions in consolidated cases pending in the San Diego Superior Court (PAVA Applications International Corporation, et.al., v. Ayman Atef Shahid, et, al., and consolidated cases; San Diego Superior Case No. 37-2016-00038849 (Lead) and Consolidated Case Nos. 37-2017-00014453 and 37-2017-0000998). I represent parties and witnesses in one multi-day deposition from December 18 to December 21 and two half day depositions on December 22. All these depositions are in San Diego and commence each day at 9:30 a.m. These depositions, involving multiple parties and their attorneys in a contentious employment matter, have been scheduled for some time. These depositions cannot be moved without significant disputes, likely motions, and court intervention. I personally represent multiple, and all, parties on one side of the consolidated cases and I must attend these depositions.
- 4. Accordingly, I respectfully request that the Status and Scheduling Conference in the above referenced matter currently set at 9:00 a.m. on December 19, 2017 be moved to any of the dates referenced above.

I declare under penalty of perjury that the foregoing is true and correct. Executed on December 2, 2017 at San Diego California.

/s/ James D. Crosby

IT IS ORDERED that the Status and Scheduling Conference currently set for December 19, 2017, is **VACATED** and **CONTINUED** to <u>2:30 p.m. January 16, 2018</u> in Courtroom 3B.

Dated: December 4, 2017

Peggy A. Leen

United States Magistrate Judge

1	PROOF OF SERVICE	
2	I am over the age of 18 years. I am employed in the County of San Diego, State of	
3	California. I am not a party to the above-referenced action. My business address is James D.	
4	Crosby, Attorney at Law, 550 West C Street, Suite 790, San Diego, California 92101.	
5	On December 2, 2017, I served the following documents:	
6	EX-PARTE MOTION FOR ORDER MOVING OR CONTINUING STATUS AND SCHEDULING CONFERENCE; DECLARATION OF JAMES D. CROSBY.	
7	SCHEDULING CONFERENCE, DECLARATION OF JAMES D. CROSBI.	
8	on the following parties in this action as follows:	
9	Boris Avramski, Esq (Nevada Bar No. 11350) Avramski Law, PC	
10	602 South 10th Street	
11	Las Vegas, NV 89101 Phone: (702) 522-1808	
12	bkhelpvegas@yahoo.com	
13	Attorneys for Defendant Phil Neuman	
14	<u>Via Email</u> :	
15	XX by sending a copy thereof via email transmission to each of the persons or entities at	
16	each of the email addresses designated above. I thereafter received receipt of delivery of such	
17	email transmission and I did not receive, within a reasonable time after the email transmission,	
18	any electronic message or other indication that the email transmission was unsuccessful.	
19	Via Overnight Mail:	
20	by placing a copy thereof in an envelope addressed to each of the persons or entities at	
21	each of the addresses designated above and placing the envelope for collection and overnight	
22	mailing via Federal Express following our ordinary business practices. I am readily familiar	
23	with this business's practices for collecting and processing correspondence for overnight	
24	mailing via Federal Express. On the same day that correspondence is placed for collection and	
25	overnight mailing via Federal Express, it is deposited in the ordinary course of business with	
26	Federal Express in a sealed envelope with postage and all charges fully prepaid.	
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28	$_{A}$	

1	<u>Via U.S. Mail</u> :
2	XX by placing a copy thereof in an envelope addressed to each of the persons or entities at
3	each of the addresses designated above and placing the envelope for collection and mailing
4	following our ordinary business practices. I am readily familiar with this business's practices
5	for collecting and processing correspondence for mailing. On the same day that correspondence
6	is placed for collection and mailing, it is deposited in the ordinary course of business with the
7	United States Postal Service in a sealed envelope with postage fully prepaid.
8	I declare under penalty of perjury under the laws of the State of California that the
9	foregoing is true and correct. Executed at San Diego, California on December 2, 2017.
10	
11	/s/ James D. Crosby
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